

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c) MILSTEAD & ASSOCIATES, LLC By: Andrew M. Lubin Atty. ID: AL0814 1 E. Stow Road Marlton, NJ 08053 (856) 482-1400 File No. 226355-7 Attorneys for Respondent: MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN ASM&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB	
In Re: Jose Amaya	Case No.: 19-18904-VFP Chapter 13 Hearing Date: October 17, 2019 Time: 8:30 AM Judge: Vincent F Papalia

AMENDED OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN ASM&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB (“Respondent”), by its counsel, Andrew M. Lubin, Esquire, of MILSTEAD & ASSOCIATES, LLC, states the following grounds as an Objection to Confirmation of Debtor’s Chapter 13 Plan:

1. On May 1, 2019, Debtor, Jose Amaya filed a petition pursuant to Chapter 13 of Title 11 of the United States Code in the United States Bankruptcy Court for the District of New Jersey.
2. Respondent was the holder of a first mortgage on real property owned by the Debtor known as and located at 1118 West 6th Street, Plainfield, NJ 07063 (the “Property”).
3. On May 6, 2019, the above captioned case was dismissed by entry of an Order Regarding Credit Counseling And Certification Of Exigent Circumstances. (Docket entry #13.)
4. On June 21, 2019, the Debtor filed a motion to vacate the dismissal of the case, which

was returnable on July 18, 2019. (Docket entry #20.)

5. On June 26, 2019, the subject property was sold to a third-party at sheriff's sale.

6. On July 29, 2019, an Order Granting Motion To Vacate Dismissal Of Case was entered.

(Docket entry #23.)

7. As the subject property has been sold, Respondent objects to any plan provision that proposes a cure, modification or payoff of the claim.

DATED: October 16, 2019

Respectfully submitted
MILSTEAD & ASSOCIATES, LLC

/s/Andrew M. Lubin
Andrew M. Lubin, Esquire
Attorney ID No. AL0814
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400
Attorneys for Secured Creditor

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In Re: Jose Amaya	Case No.: 19-18904-VFP Chapter 13 Judge: Vincent F Papalia

CERTIFICATION OF SERVICE

1. I, Andrew M. Lubin, Esquire:

☒ represent the Secured Creditor in the above-captioned matter.

☐ am the secretary/paralegal for _____, who represents the
_____ in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On October 16, 2019, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

Objection to Confirmation of Chapter 13 Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

DATED: October 16, 2019

/s/ Andrew M. Lubin

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Road Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Jose Amaya 1118 West 6th Street Plainfield, NJ 07063	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.